



Department of Justice

FOR IMMEDIATE RELEASE
WEDNESDAY, MAY 2, 2007
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**DEPARTMENT OF JUSTICE FILES AMENDED COMPLAINT IN ANTITRUST CASE
FOLLOWING RINKER BOARD OF DIRECTORS' APPROVAL OF CEMEX
TAKEOVER BID**

WASHINGTON — The Department of Justice filed an amended complaint today in U.S. District Court in Washington, D.C., naming Rinker Group Limited as a defendant in the Department's antitrust lawsuit against Cemex S.A.B. de C.V. The Department filed the amended complaint to make Rinker a party to the lawsuit since the Rinker Board of Directors approved Cemex's cash tender offer for Rinker.

Along with its amended complaint, the Department today filed an amended hold separate stipulation and proposed order that requires Cemex and Rinker to preserve the assets to be divested under the consent decree and to hold their assets separate until the divestitures are completed. The Department also filed a motion seeking the court's entry of the order.

Background

The Department's Antitrust Division filed a civil antitrust lawsuit on April 4, 2007, in U.S. District Court in Washington, D.C., to block Cemex's proposed acquisition of Rinker through a hostile cash tender offer. At the same time, the Department filed a proposed consent decree that would alleviate the proposed acquisition's antitrust concerns. The consent decree, if approved by the court, will require Cemex to divest 39 ready mix concrete, concrete block, and aggregate facilities in Arizona and Florida in the event Cemex succeeds in its takeover of Rinker. The decree also required that Rinker become a party to the hold separate order in the event Cemex and Rinker reached an agreement with respect to the transaction.

[A copy of the April 4, 2007 press release is attached.]

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